

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WINE, LIQUOR & DISTILLERY WORKERS'	:	
UNION, UFCW LOCAL 1-D PENSION FUND,	:	24 Civ. 4945 (LGS)
	:	
Plaintiff,	:	<u>ORDER</u>
	:	
-against-	:	
	:	
SHERRY-LEHMANN, INC., D/B/A SHERRY-	:	
LEHMANN WINE & SPIRITS,	:	
	:	
Defendant.	:	
-----X	:	

LORNA G. SCHOFIELD, District Judge:

WHEREAS, by the Default Judgment Order dated October 10, 2024, Plaintiff was granted judgment on its Employee Retirement Income Security Act ("ERISA") claim against Defendants. Plaintiff's request for damages was then referred to Magistrate Judge Sarah Netburn for a post-default judgment inquest.

WHEREAS, on February 27, 2025, Judge Netburn issued a Report and Recommendation (the "Report") recommending that Plaintiff be awarded: (1) \$954,677.00 in withdrawal liability; (2) interest on the unpaid withdrawal liability calculated at a rate of \$470.80 per day, running from June 2, 2024, until the date a final judgment is entered; (3) the higher value of either (i) interest on delinquent payments in the amount of \$470.80 per day since June 2, 2024, or (ii) liquidated damages in the amount of \$190,935.40; (4) \$31,125.00 in attorney's fees; (5) \$1,523.78 in costs; and (6) post-judgment interest.

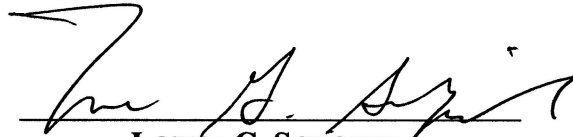
WHEREAS, the Report states that the parties "shall have fourteen (14) days (including weekends and holidays) from service of this Report and Recommendation to file written

objections,” and “[a] party may respond to another party’s objections within fourteen days after being served with a copy.”

WHEREAS, no Certificate of Service of the Report on Defendant has been filed. It is hereby

ORDERED that, by **August 1, 2025**, Plaintiff shall file proof of service of the Report on Defendant.

Dated: July 29, 2025
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE